

NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Madeleine Clayton 12/07/2000
Departmental Forms Clearance Officer
Office of the Chief Information Officer
14th and Constitution Ave. NW.
Room 6086
Washington, DC 20230

In accordance with the Paperwork Reduction Act, OMB has taken the following action on your request for approval of a revision of an information collection received on 10/20/2000.

TITLE: Southeast Region Federal Fisheries Permit Family
of Forms

AGENCY FORM NUMBER(S): None

ACTION : APPROVED

OMB NO.: 0648-0205

EXPIRATION DATE: 12/31/2003

| BURDEN | RESPONSES | BURDEN HOURS | BURDEN COSTS |
|----------------|-----------|--------------|--------------|
| Previous | 8,850 | 1,688 | 347 |
| New | 8,626 | 1,583 | 385 |
| Difference | -224 | -105 | 38 |
| Program Change | | 27 | 0 |
| Adjustment | | -132 | 38 |

TERMS OF CLEARANCE: None

NOTE: The agency is required to display the OMB control number and inform respondents of its legal significance (see 5 CFR 1320.5(b)).

OMB Authorizing Official Title

Donald R. Arbuckle Deputy Administrator, Office of
Information and Regulatory Affairs

PAPERWORK REDUCTION ACT SUBMISSION

Please read the instructions before completing this form. For additional forms or assistance in completing this form, contact your agency's Paperwork Clearance Officer. Send two copies of this form, the collection instrument to be reviewed, the supporting statement, and any additional documentation to: Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW, Washington, DC 20503.

| | |
|--|---|
| 1. Agency/Subagency originating request | 2. OMB control number b. <input type="checkbox"/> None a. _____ - _____ |
| 3. Type of information collection (<i>check one</i>) a. <input type="checkbox"/> New Collection b. <input type="checkbox"/> Revision of a currently approved collection c. <input type="checkbox"/> Extension of a currently approved collection d. <input type="checkbox"/> Reinstatement, without change, of a previously approved collection for which approval has expired e. <input type="checkbox"/> Reinstatement, with change, of a previously approved collection for which approval has expired f. <input type="checkbox"/> Existing collection in use without an OMB control number For b-f, note Item A2 of Supporting Statement instructions | 4. Type of review requested (<i>check one</i>) a. <input type="checkbox"/> Regular submission b. <input type="checkbox"/> Emergency - Approval requested by _____ / _____ / _____ c. <input type="checkbox"/> Delegated 5. Small entities Will this information collection have a significant economic impact on a substantial number of small entities? <input type="checkbox"/> Yes <input type="checkbox"/> No 6. Requested expiration date a. <input type="checkbox"/> Three years from approval date b. <input type="checkbox"/> Other Specify: _____ / _____ |
| 7. Title | |
| 8. Agency form number(s) (<i>if applicable</i>) | |
| 9. Keywords | |
| 10. Abstract | |
| 11. Affected public (<i>Mark primary with "P" and all others that apply with "x"</i>) a. <input type="checkbox"/> Individuals or households d. <input type="checkbox"/> Farms b. <input type="checkbox"/> Business or other for-profit e. <input type="checkbox"/> Federal Government c. <input type="checkbox"/> Not-for-profit institutions f. <input type="checkbox"/> State, Local or Tribal Government | 12. Obligation to respond (<i>check one</i>) a. <input type="checkbox"/> Voluntary b. <input type="checkbox"/> Required to obtain or retain benefits c. <input type="checkbox"/> Mandatory |
| 13. Annual recordkeeping and reporting burden a. Number of respondents _____ b. Total annual responses _____ 1. Percentage of these responses collected electronically _____ % c. Total annual hours requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____ | 14. Annual reporting and recordkeeping cost burden (<i>in thousands of dollars</i>) a. Total annualized capital/startup costs _____ b. Total annual costs (O&M) _____ c. Total annualized cost requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____ |
| 15. Purpose of information collection (<i>Mark primary with "P" and all others that apply with "X"</i>) a. <input type="checkbox"/> Application for benefits e. <input type="checkbox"/> Program planning or management b. <input type="checkbox"/> Program evaluation f. <input type="checkbox"/> Research c. <input type="checkbox"/> General purpose statistics g. <input type="checkbox"/> Regulatory or compliance d. <input type="checkbox"/> Audit | 16. Frequency of recordkeeping or reporting (<i>check all that apply</i>) a. <input type="checkbox"/> Recordkeeping b. <input type="checkbox"/> Third party disclosure c. <input type="checkbox"/> Reporting 1. <input type="checkbox"/> On occasion 2. <input type="checkbox"/> Weekly 3. <input type="checkbox"/> Monthly 4. <input type="checkbox"/> Quarterly 5. <input type="checkbox"/> Semi-annually 6. <input type="checkbox"/> Annually 7. <input type="checkbox"/> Biennially 8. <input type="checkbox"/> Other (describe) _____ |
| 17. Statistical methods Does this information collection employ statistical methods <input type="checkbox"/> Yes <input type="checkbox"/> No | 18. Agency Contact (person who can best answer questions regarding the content of this submission) Name: _____ Phone: _____ |

19. Certification for Paperwork Reduction Act Submissions

On behalf of this Federal Agency, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9

NOTE: The text of 5 CFR 1320.9, and the related provisions of 5 CFR 1320.8(b)(3), appear at the end of the instructions. *The certification is to be made with reference to those regulatory provisions as set forth in the instructions.*

The following is a summary of the topics, regarding the proposed collection of information, that the certification covers:

- (a) It is necessary for the proper performance of agency functions;
- (b) It avoids unnecessary duplication;
- (c) It reduces burden on small entities;
- (d) It used plain, coherent, and unambiguous terminology that is understandable to respondents;
- (e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;
- (f) It indicates the retention period for recordkeeping requirements;
- (g) It informs respondents of the information called for under 5 CFR 1320.8(b)(3):
 - (i) Why the information is being collected;
 - (ii) Use of information;
 - (iii) Burden estimate;
 - (iv) Nature of response (voluntary, required for a benefit, mandatory);
 - (v) Nature and extent of confidentiality; and
 - (vi) Need to display currently valid OMB control number;
- (h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected (see note in Item 19 of instructions);
- (i) It uses effective and efficient statistical survey methodology; and
- (j) It makes appropriate use of information technology.

If you are unable to certify compliance with any of the provisions, identify the item below and explain the reason in Item 18 of the Supporting Statement.

Signature of Senior Official or designee

Date

| | |
|--|------|
| Agency Certification (signature of Assistant Administrator or head of MB staff for L.O.s, or of the Director of a Program or Staff Office) | |
| Signature | Date |
| Signature of NOAA Clearance Officer | |
| Signature | Date |

SUPPORT STATEMENT
Federal Fisheries Permits
Southeast Region
Family of Forms
OMB Number 00648-0205

Justification

1. It is extremely important to manage the fisheries in the Southeast because most are fully utilized if not over utilized. A major component of fisheries management in the Region is the permit system. The permit/endorsement system has the following uses:

- a. Registration of actual and/or potential fishing vessels/dealers.
- b. Collection of data relevant to the characteristics of both vessels and (potential) fishermen.
- c. Secure compliance (e.g., do not issue permit until unpaid penalties have been collected and reporting requirements are fulfilled).
- d. Provide a mailing list for the dissemination of regulatory information.
- e. Register participants for fisheries with special restrictions/limited access.
- f. Provide sample frame for data collection.

The legislative authority to collect data from the various sectors of the economy that harvest marine resources in the exclusive economic zone is the Magnuson-Stevens Fishery Conservation and Management Act. Under this authority the Secretary of Commerce has promulgated separate rules that require specific types of data submissions for the application process to obtain fishing permits and endorsements as well as notification of certain activities.

The following table list the Activities and Regulatory Citations for this family of forms. Please note that the golden crab dealer and wreckfish dealer applications (individual) forms have been combined with the multiple fishery dealer application.

| Activity | Fishery | Form | Regulation Citation |
|---------------|----------------------------------|-------------------------------------|---------------------|
| Dealer Permit | Gulf Reef Fish | Multiple Fishery Dealer Application | 50 CFR 622.4 |
| Dealer Permit | Golden Crab | Multiple Fishery Dealer Application | 50 CFR 622.4 |
| Dealer Permit | South Atlantic Snapper - Grouper | Multiple Fishery Dealer Application | 50 CFR 622.4 |
| Dealer Permit | Wreckfish | Multiple Fishery Dealer Application | 50 CFR 622.4 |

| Activity | Fishery | Form | Regulation Citation |
|---------------------------------------|-----------------------------------|-------------------------------------|----------------------------|
| Dealer Permit | Rock Shrimp | Multiple Fishery Dealer Application | 50 CFR 622.4 |
| Dealer Permit | Shark | Multiple Fishery Dealer Application | 50 CFR 678.4 |
| Dealer/ Importer Permit | Swordfish | Multiple Fishery Dealer Application | 50 CFR 630.4 |
| Notification of Permit Purchase Price | All Transferable Permit Fisheries | Fishery Vessel Permit | 50 CFR 622.4 |
| Charter Vessel Permit | Gulf Reef Fish | Multiple Fishery Vessel Application | 50 CFR 622.4 |
| Charter Vessel Permit | South Atlantic Snapper - Grouper | Multiple Fishery Vessel Application | 50 CFR 622.4 |
| Charter Vessel Permit | Coastal Migratory Pelagic | Multiple Fishery Vessel Application | 50 CFR 622.4 |
| Commercial Vessel Permit | King and Spanish Mackerel | Multiple Fishery Vessel Application | 50 CFR 622.4 |
| Commercial Vessel Permit | Spiny Lobster | Multiple Fishery Vessel Application | 50 CFR 640.4 |
| Commercial Vessel Tailing Permit | Spiny Lobster | Multiple Fishery Vessel Application | 50 CFR 640.4 |
| Commercial Vessel Permit | Gulf Reef Fish | Multiple Fishery Vessel Application | 50 CFR 622.4 |
| Commercial Vessel Transfer | Gulf Reef Fish | Multiple Fishery Vessel Application | 50 CFR 622.4 |
| Commercial Vessel Permit | South Atlantic Rock Shrimp | Multiple Fishery Vessel Application | 50 CFR 622.4 |
| Commercial Vessel Permit | Swordfish | Multiple Fishery Vessel Application | 50 CFR 630.4 |
| Commercial Vessel Permit | South Atlantic Snapper - Grouper | Multiple Fishery Vessel Application | 50 CFR 622.4 |
| Commercial Vessel Permits | Shark | Multiple Fishery Vessel Application | 50 CFR 678.4 |

| Activity | Fishery | Form | Regulation Citation |
|--------------------------------------|---|---|----------------------------|
| Commercial Vessel Permit | South Atlantic Wreckfish | Individual Form | 50 CFR 622.4 |
| Commercial Vessel Permit | South Atlantic Golden Crab | Individual Form | 50 CFR 622.17 |
| Commercial Vessel Permit | Colombian Treaty Waters | Individual Form | 50 CFR 300.123 |
| Vessel Permit | Octocoral - Coral with Allowable Chemical | Single Form for Either of These Two Permits | 50 CFR 622.4 |
| Site Permit | Aquacultured Live Rock | Individual Form | 50 CFR 622.4 |
| Site Evaluation Report | Aquacultured Live Rock | Individual Form | 50 CFR 622.4 |
| Vessel Permit Endorsement | Gulf Reef Fish Trap | Multiple Fishery Vessel Application | 50 CFR 622.4 |
| Vessel Permit Endorsement | Gulf Red Snapper | No Form - Written Request/ Multiple Fishery Vessel Application (renewals) | 50 CFR 622.4 |
| Vessel Permit Endorsement | Mackerel Gillnet | No Form - Written Request/ Multiple Fishery Vessel Application (renewals) | 50 CFR 622.4 |
| Notification of Lost or Stolen Traps | Golden Crab | No Form - Notification | 50 CFR 622.17 |
| Notification for Observers | Golden Crab | No Form - Notification | 50 CFR 622.8 |
| Notification for Observers | Sharks | No Form - Notification | 50 CFR 678.10 |
| Notification for Observers | Swordfish | No Form - Notification | 50 CFR 630.10 |

| Activity | Fishery | Form | Regulation Citation |
|---|--|--|----------------------------|
| Transit Notification | Golden Crab | No Form - Notification | 50 CFR 622.17 |
| Notification Authorization for Trap Retrieval | Gulf Reef Fish South Atlantic Snapper - Grouper and Golden Crab | No Form - Written Notification Authorization | 50 CFR 622.40 |
| Notification of Harvest Activity | Aquacultured Live Rock | No Form - Notification | 50 CFR 622.41 |
| Notification of Lost Traps | Caribbean Spiny Lobster | No Form - Notification | 50 CFR 622.6 |
| Coupons for Tracking ITQ | Wreckfish | Coupon | 50 CFR 622.15 |

2. The information requested on permit application forms is used by various offices of NMFS, Regional Fishery Management Council staff, the U.S. Coast Guard and state fishery agencies to develop, implement and monitor fishery management activities. Analyses and summarizations of data are used by NMFS, the Regional Councils, the Departments of State and Commerce, the fishing industry, and the public to answer questions about those participating in the utilization of our fisheries resources. The NMFS would be unable to fulfill the majority of its fishery management missions without the permit/endorsement/notification system and these data.

Similar data elements are required for most of the application forms in this family, although a few variables may be specific to one fishery or type of management technique.

a) Information such as name and address of owner and operator is used to identify the respondent and the legal entity controlling the fishing practices of the vessel. This latter requirement is essential in identifying participants and monitoring the compliance of the fishing requirement.

b) The documentation or state registration number and name of the vessel are essential for identifying participation. Since the permit/endorsement system is used to limit participation in certain fisheries, it is absolutely essential that these identifiers are determined.

c) Vessel characteristics, gear specification, fishing areas, and other information is necessary for identification and to ensure the correct allocation of fishing privileges.

d) The proposed additional collection of the purchase price information provides valuable information on the market value of such transferred permits and will be collected via the vessel permit.

e) The Gulf red snapper endorsement and king mackerel gillnet endorsement data collections need to be continued to allow the NMFS to monitor and evaluate participation in these limited entry fisheries, and thereby help determine the need, if any, for other measures. Those endorsements are applied for via written request, and subsequently renewed via the multiple vessel permit application.

f) Notification requirements are currently in effect for vessels selected for golden crab, shark, and swordfish fishery observers. Those observers provide important harvest and bycatch data. In addition, harvesters of aquacultured live rock provide the NMFS with site-specific information prior to their use of that site. Once the site has been permitted, the harvesters also are required to notify the NMFS in advance of their harvest activities. These requirements need to be continued to facilitate effective monitoring of these fisheries and thereby provide for appropriate conservation and management measures.

g) Notification requirements are also in effect in the event that golden crab traps are lost, stolen, or need to be transported through closed areas, or if Gulf reef Fish, South Atlantic Snapper-grouper traps, or Golden Crab traps need to be retrieved by someone other than the vessel owner. These notification requirements need to be continued to facilitate enforcement monitoring of these fisheries and minimize the opportunity for illegal gear use. Allowing these requirements to lapse would disrupt the enforcement and monitoring programs now in place and increase the potential for excessive fishing and associated habitat impacts.

h) The wreckfish data collection (coupon system) allows the NMFS to track transactions in that limited entry fishery and provides an incentive for compliance with the quota system. This authorization needs to be continued to maintain the associated benefits to the fishery. Allowing the coupon system authorization to expire would severely disrupt the fishery, prevent tracking of transactions, and increase the opportunity for illegal harvest in excess of the quota.

3. Several improved information technology techniques have been identified as a practical means for reducing the burden on the public. Application forms for renewal of permits are filled out from the NMFS database and sent to the respondent. The respondent need only correct any incorrect information, sign and return the application. The wreckfish coupon offers the respondent the opportunity to report by blocking numbers. When the coupons are received they are scanned into the computer system. This allows a quick check of the data and if a variance is detected, we can communicate with the fishermen and correct the differences on a timely basis.

4. The Magnuson-Stevens Act's operational guidelines require each Fishery Management Plan to evaluate existing state and federal laws that govern the fisheries in question, and the findings are made part of each FMP. Each Fishery Management Council membership is comprised of state and federal officials responsible for resource management in their area. These two circumstances identify other collections that may be gathering the same or similar information. In addition, each FMP undergoes extensive public comment periods where potential applicants review the proposed permit application requirements. Therefore, NMFS is confident it is aware of similar collections if they exist.

States in the Southeast Region have permit systems and of course must ask the same identification information as required for the federal permit. The federal permit is for the Exclusive Economic Zone where as the state system issues permits for State waters.

5. Because all applicants are considered small businesses, separate requirements based on size of business have not been developed. Only the minimum data to meet the analytical needs of the SEFSC's assessment scientists are requested from all applicants.

6. If we did not identify and control the participants in the commercial fisheries in the region, through the permit system, it would critically reduce the management of our fishery resources.

Over the past 3-1/2 years we have been able to reduce the frequency of reporting. The permit remains an annual permit and is issued for a 12 month period. However, if all other requirements are met, the application is only required from the public every other year, with the permit automatically being renewed and mailed for the non-application year. This provides some savings of reporting burden to the public although as pointed out in number 3 above we fill the application out and the respondent only need make changes to incorrect entries. We will continue to monitor this approach because of the large migration of vessels into and out of the fisheries each year.

7. The collection is consistent with OMB guidelines.

8. A notice of this data collection family of forms was published in the Federal Register. No comments were received in response to this notice.

Because these data collection programs are part of fishery management plans, all aspects of the programs have been reviewed by both statistical and constituent advisory committees. Furthermore, comments and suggestions from fishermen, that are required to report, are routinely submitted and these are reviewed and considered. Experience with the various programs, some of which have been operating for many years, provides a continual feedback mechanism to NMFS on issues and concerns to the applicants. There are no major problems that have not been resolved.

9. There are no payments or other remunerations to respondents.

10. All data that are submitted are treated as confidential in accordance with NOAA Administrative Order 26-210.

11. No questions of a sensitive nature are asked.

12. The reporting burden for each component in this family and the total are presented in the following table. Gulf reef fish trap endorsement renewals are now included in the multiple fishery vessel Application and are limited under the regulations to those endorsements valid on February 7, 1997. Therefore, no burden hours are listed for Gulf reef fish traps.

| Form/ Notification Endorsement | Total Number of Respondents | Annual Number of Responses | Time per Response | Total Time Hours |
|--|--|---|------------------------------|-----------------------------|
| Multiple Fishery Dealer Application | 548 | 278 | .083 hr | 23.07 |
| Multiple Fishery Vessel Application | 5500 | 3400 | .33 hr | 1122.00 |
| South Atlantic Wreckfish Vessel Form | 8 | 8 | .33 hr | 2.64 |
| South Atlantic Golden Crab Vessel Form | 10 | 5 | .33 hr | 1.65 |
| Colombian Treaty Vessel Form | 20 | 20 | .33 hr | 6.66 |
| Aquacultured Live Rock Site Permit | 1 | 1 | .33 hr | .33 |
| Aquacultured Live Rock Site Evaluation Report | 1 | 1 | .75 hr | .75 |
| Notification of Permit Purchase Price | 658 | 329 | .083 hr | 27.31 |
| Endorsement - Gulf Red Snapper | 130 | 65 | .33 hr | 21.45 |
| Endorsement - Mackerel Gillnet | 52 | 26 | .083 hr | 2.16 |
| Notification of Golden Crab Lost or Stolen Traps | 2 | 2 | .083 hr | .17 |

| Form/ Notification Endorsement | Total Number of Respondents | Annual Number of Responses | Time per Response | Total Time Hours |
|---|--|---|------------------------------|-----------------------------|
| Notification - Golden Crab Observer | 2 | 2 | .083 hr | .17 |
| Notification - Shark Observer | 2 | 2 | .083 hr | .17 |
| Notification - Swordfish Observer | 2 | 2 | .083 hr | .17 |
| Transit Notification - Golden Crab | 5 | 5 | .083 hr | .42 |
| Notification Authorize for Trap Retrieval - Gulf Reef Fish | 5 | 5 | .25 hr | 1.25 |
| Notification Authorize for Trap Retrieval - South Atlantic Snapper - Grouper | 2 | 2 | .25 hr | .50 |
| Notification Authorize for Trap Retrieval - Golden Crab | 1 | 1 | .25 hr | .25 |
| Notification Harvest Activity - Aquacultured Live Rock | 10 | 10 | .083 hr | .83 |
| Application for Harvest of Octocoral/ Use of Allowable Chemicals | 1 | 1 | .33 hr | .33 |

| Form/ Notification Endorsement | Total Number of Respondents | Annual Number of Responses | Time per Response | Total Time Hours |
|---|--|---|--|-----------------------------|
| Notification Lost Traps - Caribbean Spiny Lobster | 2 | 2 | .083 hr | .17 |
| Coupons for Tracking ITQ - Wreckfish | 8 | 4459 | .083 hr | 370.10 |
| Total | 6970 | 8626 | Average Response .18 hr | 1582.55 |

13. A fee is charged for each permit application submitted. The amount of each fee is calculated in accordance with the procedures of the NOAA Finance Handbook for determining the administrative cost of each special product or service. The total deposit for the period May 15, 1999 to May 15, 2000 was \$382,303.00. In addition, the public pays mailing costs for the 8,626 responses. Those mailing costs are estimated at \$.33 average per response, or \$2,846.58 total per year.

14. The administrative costs for the program are paid by the fishermen and thus there is no cost to the Federal government.

15. An additional reporting burden is the proposed additional collection of the purchase price information when someone buys an existing limited entry fisheries permit from another individual. That information provides valuable information on the market value of such transferred permits and will be collected via the vessel permit. Increases in the number of fishery dealer respondents (and annual responses) are expected. However, these increases are more than offset by decreases due to program adjustments. These program adjustments include recent limits on entry and reductions in the number of speculative permit applications. These adjustments have resulted in decreases in the number of responses for the multiple fishery vessel applications, aquaculture live rock, and South Atlantic golden crab fishery. As a result, the total annual hours requested are less than the current OMB inventory.

16. The results from this collection are not planned for statistical publication.

17. The OMB number will be displayed.

18. There are no exemptions to the certification statement identified in Item 19 of OMB 83-I.

B. The collection does not employ statistical methods at present.